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OFFICE OF PETITIONS

In re Application of
Kenneth Lathrop, Stephen
Penrice
Application No. 10/668,891
Filing Date: September 23, 2003
Attorney Docket No. 20339.14

DECISION ACCORDING
STATUS UNDER § 1.47(a)

This is in response to the "REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 CFR 1.47(a)," filed June 17, 2004.

The renewed petition under 37 CFR 1.47(a) is GRANTED.

The above-identified application was filed on September 23, 2003, without an executed oath or declaration. Accordingly, a Notice to File Missing Parts of Nonprovisional Application was mailed on December 16, 2003. This Notice set an extendable period for reply of two months. On April 19, 2004, applicants filed a petition under 37 CFR 1.47(a), made timely by obtaining a two month extension of time and including a Certificate of Mailing dated April 14, 2004. However, the petition was dismissed in a decision mailed on June 8, 2004, because applicants did not submit a declaration in compliance with 37 CFR 1.63. The declaration was not acceptable because it did not contain the residence and post office address of the nonsigning inventor.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor(s) cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an

acceptable oath or declaration in compliance with 37 CFR 1.63; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor(s).

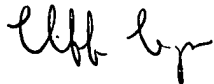
On renewed petition, applicants have submitted a declaration in compliance with 37 CFR 1.63.

In view thereof, Rule 47 applicant has submitted a declaration in compliance with 37 CFR 1.63 and satisfied the requirements of 37 CFR 1.47(a). Accordingly, the above-identified application is hereby accorded Rule 1.47(a) status.

Pursuant to 37 CFR 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the last known address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application file is being forwarded to Group Art Unit 3711 for docketing.

Telephone inquiries concerning this decision may be directed to the undersigned at (703) 305-0272.



Cliff Congo
Petitions Attorney
Office of Petitions